

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

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| In the Matter of |) | |
| |) | |
| Universal Service Contribution Methodology |) | WC Docket No. 06-122 |

MOTION FOR EXTENSION OF TIME

The undersigned thirty-five (35) organizations, representing an array of public interest, civil rights, consumer, education, libraries, and healthcare interests respectfully request, pursuant to 47 C.F.R. § 1.46, an extension of time to file comments and reply comments responsive to the Federal Communications Commission’s (“FCC” or “Commission”) proposals set forth in the Notice of Proposed Rulemaking (“NPRM”)¹ in the above-captioned docket until September 30, 2019 and October 30, 2019, respectively.

The undersigned organizations recognize that “[i]t is the policy of the Commission that extensions of time shall not be routinely granted.”² However, given the complexity of the issues presented, the enormous impact that this proceeding could have on all four Universal Service Fund (“USF”) programs – particularly for the institutions and the millions of individuals and families who rely on these programs for their vital communications needs – and multiple simultaneous comment deadlines which are also contingent on final agency action in this matter, it would be prudent for the Commission to give parties adequate time to prepare comments in this proceeding.

¹ See *Universal Service Contribution Methodology*, WC Docket No. 06-122 (rel. May 31, 2019).

² 47 C.F.R. § 1.46(a).

The Commission's congressional mandate is to ensure that "[c]onsumers in *all regions* of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services[.]"³ An overall cap on the Universal Service Fund would impact a wide range of stakeholders and beneficiaries: low-income people, schools, libraries, children, rural health care facilities and patients, as well as those who live in remote areas across the United States. This cap will further harm the ability of other Americans to communicate with institutions, friends, and family who receive USF funding. Such changes would impede the ability of businesses throughout the country to engage in commerce with institutions and people who might face reductions in USF funding or lose funding entirely. Moving forward with this proceeding hastily with the current comment and reply comment deadlines of July 15, 2019 and August 12, 2019, respectively, would be counterproductive if the Commission wants to provide time to adequately engage the myriad of stakeholders and beneficiaries that would be impacted by this proceeding.

Grant of this motion will assist the Commission in developing the full record necessary to contemplate such significant changes to these vitally important programs. Absent additional time for comments, the Commission runs the risk of resolving this docket with incomplete data and thus making less than optimal decisions.

There are several additional reasons why an extension is warranted in this instance. First, the short filing periods established here coincide with timelines and deadlines established for several other proceedings that impact the affected parties. These include a proposal to restrict E-Rate funding in RM-11841 (comments and replies due on July 1, 2019 and July 16, 2019,

³ 47 U.S.C. § 254(b)(3) (emphasis added).

respectively)⁴ and the Commission is expected to adopt an Order affecting the Rural Health Care program sometime this summer.⁵

Second, many of the stakeholders are engaged in advocacy relating to the Educational Broadband Services (EBS) licensing in WT Docket No. 18-120, which affects many of the schools and libraries that receive USF funding. That matter is on the Commission's open meeting agenda for July 10, 2019, which makes activity on that matter a top priority until the sunshine window closes on July 3, 2019. Moreover, these groups will need to analyze any final order released after the July 10 meeting and make rapid decisions about further actions they may need to take.

Third, the timing of these deadlines – in the middle of summer – makes it harder for stakeholders to gather the information necessary to prepare meaningful comments. This is the time when many people take previously scheduled vacations. Moreover, these deadlines are outside of the regular school year, making it especially difficult for educational organizations affected by this proceeding to respond.

Fourth, the organizations filing this motion face particular challenges in consulting with their members and other stakeholders. Unlike the members of D.C.-based industry trade associations with which the Commission often deals, members of these organizations are scattered throughout the country and will not understand the proposals and their impact without briefing materials and explanations that will take time to disseminate, comprehend, and address.

⁴ See *Wireline Competition Bureau Seeks Comments of Texas Carriers' Petition for Rulemaking of Central Texas Telephone Cooperative, Inc. et al.*, Public Notice, RM-11841; CC Docket No. 02-6; WC Docket No. 13-184 (rel. May 30, 2019).

⁵ See Letter from FCC Chairman Ajit Pai, to Senator Dan Sullivan (filed Dec. 3, 2018) ("I plan to move forward with an order adopting new rules for the Rural Health Care Program in 2019, with a target of doing so in the first half of the year").

Because the Commission will benefit from a complete and robust record, neither it, nor the public will be prejudiced by this extension.

The undersigned also support the Education and Library Networks Coalition (“EdLiNC”) request for the Commission “extend the comment period for this matter until at least the end of September 2019 to provide ample time for the Commission to hear the opinions of a major constituency of the E-Rate program.”⁶ As noted by EdLiNC, comments for this proceeding are due in the middle of summer when “most school E-Rate beneficiaries will not be able to inform the Commission’s decisions on creating an overall universal service cap and possibly combining E-Rate and the Rural Health Care program under a single cap.”⁷ We further agree that the current timing of this proceeding “undermines the public nature of this proceeding, doing a disservice to E-Rate’s beneficiaries as well as the Commission itself.”⁸

For the above stated reasons, the undersigned thirty-five (35) organizations respectfully request that the Commission extend the comment and reply comment deadlines in the above-referenced proceeding until September 30, 2019 and October 30, 2019, respectively.

Respectfully Submitted,



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⁶ Letter from Education and Library Networks Coalition to FCC Chairman Ajit Pai, WC Docket No. 06-122 (filed June 13, 2019).

⁷ *Id.*

⁸ *Id.*

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